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C O N F I D E N T I A L BOGOTA 002836

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [PHUM](#) [MASS](#) [MCAP](#) [MOPS](#) [KTIA](#) [CO](#)
SUBJECT: AMBASSADOR ENGAGES INTERNATIONAL ORGANIZATIONS ON
HUMAN RIGHTS

REF: A. BOGOTA 2769
[1](#)B. 08 BOGOTA 3959
[1](#)C. BOGOTA 2019

Classified By: Ambassador William R. Brownfield, Reasons 1.4 (b and d)

SUMMARY

[1](#)1. (C/NF) The Ambassador met with the country directors of the UN High Commission for Human Rights (UNHCHR) and International Committee of the Red Cross (ICRC) separately to discuss the status of Colombia's conflict and several related human rights themes. Christian Salazar of the UNHCHR noted a decline in extrajudicial executions (EJEs) since the Soacha scandal of October 2008, though he questioned whether the military had implemented the necessary reforms to prevent a resurgence in human rights abuses. Salazar previewed the mid-September visit of the UN Special Rapporteur for Human Rights Defenders. Christophe Beney of the ICRC was pessimistic on the prospects for successful peace negotiations with the Revolutionary Armed Forces of Colombia (FARC) but deemed it wise to develop channels of communication to them such as through Senator Piedad Cordoba. Regarding the Colombian military, Beney believed that impunity remains a serious problem on the ground despite the extensive human rights directives and reforms instituted at senior levels. On IDPs, the ICRC noted a decline in new displacements in 2008 and 2009, though reports from previous years continue to rise dramatically. Both international organizations endorsed the Ambassador's suggestion to offer the new Minister of Defense an informal consultation mechanism on human rights with key ambassadors and some international organizations. End Summary.

UN High Commission for Human Rights

[1](#)2. (C/NF) Ambassador and Polchief met with UNHCHR Country Director Christian Salazar on August 27. Salazar was about to depart for Narino Department to accompany the GOC delegation investigating the August 26 massacre of 12 members of the Awa indigenous group. Salazar registered concern over the possible involvement of the military, as was insinuated

by Human Rights Watch and some Colombian human rights groups immediately after the incident. (Note: The GOC investigation has focused on a possible extortion ring as the perpetrators and, as of yet, not the military. See ref a. End note.) Salazar confirmed other reports we have heard that reports of new EJE cases have declined significantly, though reports of cases that pre-date the October 2008 dismissals over the Soacha scandal (ref b) have increased. Salazar said the progress was positive but was wary of public acknowledgment lest the COLMIL backslide on progress. He added that he had other serious human rights concerns such as allegations of sexual abuse by the military. Salazar also reported that the UN Special Rapporteur for Human Rights Defenders would visit Colombia September 7-14 to investigate the troubling increase in persecution of human rights workers, singling out specifically the ongoing scandal over illegal surveillance by the Colombian intelligence service (DAS) (ref c). The Ambassador told Salazar that USG agencies were confident that their programs were not involved with the DAS scandal, but offered complete cooperation with the UN should it be necessary.

International Committee of the Red Cross

¶3. (C/NF) In a lunch with ICRC Chief of Delegation Christophe Beney and ICRC staffer Martin Bissig on August 31, Ambassador shared his intentions to meet with opposition Senator Piedad Cordoba, who had been in the press recently for arranging proof-of-life videos of nine hostages held by the Revolutionary Armed Forces of Colombia (FARC). Beney said

the ICRC had stayed out of this round of Cordoba's activities because of her overtly political agenda and criticism of the GOC. Still, Beney conceded the value of keeping open lines of communication with Cordoba should the FARC signal an intention to release hostages or discuss peace. (Note: Cordoba subsequently canceled her September 3 meeting with the Ambassador and rescheduled for September 24. End note.) On the FARC, Beney admitted the ICRC's contacts with the group had died down over the last 18 months. He was skeptical about recent claims by Catholic Cardinal Castrillon that he had been in telephonic contact with FARC Supreme Leader Alfonso Cano. Beney believed that neither the GOC nor the FARC were interested in talking at the current time.

¶4. (C/NF) On the Colombian military, Beney said the implementation on the ground of international humanitarian law (IHL) policy was virtually non-existent -- impunity for military-committed crimes has continued, he asserted. The ICRC has resisted giving any further instruction on IHL, he said, and hopes now to reach out to field commanders to review actual cases of human rights abuses perpetrated by their units. Beney lamented that Colombian prosecutors neglected to charge military human rights abusers with aggravated homicide (vice simple homicide), which he said in IHL terms would also implicate the command structure of the abuser rather than just the low-level person who carried out the crime.

¶5. (C/NF) Asked by the Ambassador why falling violence indicators were accompanied by rising numbers of internally displaced people (IDPs), Bissig explained the recent increase in IDP registration as a result of a Council of State ruling in 2008 that permitted those displaced prior to the current year to place claims. Beney said there was an extended period of under-reporting in the late 90s, during the height of paramilitary activity. Those displacements are now being registered in record numbers, he said. Bissig said if one factors out these late registrations, displacements that occurred in 2008 and 2009 are, in fact, on a downward trend. (Comment: While we believe these statements to be true, we also note there is a rise in GOC refusals of these older claims due to suspected fraud, which has tended to keep the numbers low.)

Informal Human Rights Consultation Mechanism

¶6. (C/NF) The Ambassador proposed to both international organizations that they revive an informal consultation mechanism launched by then Minister of Defense Juan Manuel Santos. Ambassadors from the United States, Canada, and European Union, along with the international organizations, had met twice with Minister Santos to discuss ways to improve the military's human rights performance. With Santos' departure last May the mechanism withered, but Beney and Salazar agreed there was an opportunity to engage newly installed Minister Silva. Salazar offered UNHCHR's support, but Beney suggested the ICRC maintain its distance due to its role as an occasional intermediary in the peace process with the guerrillas. Ambassador intends to probe other ambassadors on the prospects of reviving this initiative.
Brownfield